IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 24TH AUGUST 2006 / 2ND BHADRA 1928

Bail Appl..No. 5306 of 2006

CRIME NO. 473/2006 OF MANGALAPURAM POLICE STATION, ATTINGAL

PETITIONER/ACCUSED.

HARI VISWOM, AGED 38 YEARS,
S/O. VISWANATHAN, RESIDING AT MANI BHAVAN,
NEAR GENERAL HOSPITAL, PATHANAMTHITTA.

BY ADV. SRI.T.RAJASEKHARAN NAIR

RESPONDENTS: COMPLAINANT.

THE STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 24/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5306/2006

DATED THIS THE 24TH DAY OF AUGUST, 2006

O R D E R

The petitioner is a Government employee in the Government Secretariate, submits the counsel. He is facing the allegation, for having married, during the life time of his wife, and also perpetuated cruelty on her. Hence he is accused of the offence punishable under Sections 498A and 494 IPC read with Section 34 IPC.

2. Considering the materials on record, without entering into any discussion on merit, I direct the petitioner to surrender before the Investigation Officer, who is investigation crime No.473/2006 of Mangalapuram Police Station, on 31.8.2006.

3. The Investigation Officer shall interrogate the petitioner, scrutinise all the documents, in relation to his marriage with the defacto complainant, Seena, as well as the alleged woman, Shobha, with whom the petitioner is now said to be living, and in the event of his arrest, he

shall be released on bail, on he executing a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Investigating Officer, arresting him.

4. I make it clear that if the Investigating Officer is able to collect the materials, regarding the allegations made by the defacto complainant, Seena, the wife of the petitioner, the Investigating Officer is at liberty to approach the Court below with that facts, and in which event, the learned Magistrate shall pass appropriate orders, untrammelled by the observations, contained in this order.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs